

BERNSTEIN LITOWITZ BERGER & GROSSMANN LLP

ATTORNEYS AT LAW

NEW YORK • CALIFORNIA • ILLINOIS • LOUISIANA

JOHN RIZIO-HAMILTON
Johnr@blbglaw.com
212-554-1505

February 6, 2019

VIA ECF

Honorable Colleen McMahon
United States District Judge
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: In re Signet Jewelers Limited Securities Litigation, No. 16-cv-6728 (CM)
(S.D.N.Y.)

Dear Chief Judge McMahon:

We represent Lead Plaintiff the Public Employees' Retirement System of Mississippi ("Plaintiff") in the above-referenced matter. In advance of the February 8, 2019 status conference, we write to apprise the Court of the progress that the parties have made in discovery and to submit a revised case management plan. The parties have worked diligently to agree on a schedule, and have now done so with one exception, as set forth below.

Status of Discovery. The parties have made significant progress in discovery and have worked cooperatively together. There are currently no discovery disputes that necessitate Court intervention. To date, the parties have served discovery requests, and their responses and objections thereto. The parties met and conferred in person on January 31, 2019, and made significant progress toward resolving certain of their disputes. The parties have also exchanged their initial disclosures, served and responded to interrogatories, and agreed on a proposed protective order, which the Court entered on January 29, 2019. With respect to electronic discovery, the parties have made an initial exchange of proposed search terms and custodians for their respective document productions, and they are currently negotiating those proposals, along with an electronically-stored-information (ESI) protocol to govern the document production. In addition, today, Plaintiff made an initial document production to Defendants. With respect to non-party discovery, Plaintiff and Defendants have served subpoenas on certain third parties, and negotiations regarding those subpoenas are in currently in progress.

Case Management Plan. On January 3, 2019, the parties submitted a proposed case management plan to the Court. (ECF No. 127). In the weeks since the Court declined to enter that schedule (ECF No. 128), the parties have worked diligently to reach agreement concerning a

BERNSTEIN LITOWITZ BERGER & GROSSMANN LLP

Hon. Colleen McMahon
February 6, 2019
Page 2

shorter schedule and to narrow their disputes. Following significant negotiation and multiple rounds of meet-and-confer discussions, the parties have now agreed upon a proposed case management plan, with the exception of the class certification briefing schedule. This proposed plan, which is submitted herewith, shortens the prior proposed schedule by over three months.

The Class Certification Briefing Schedule. Plaintiff proposes to file its motion for class certification on March 15, 2019, for Defendants to file their opposition brief on April 26, 2019, and for Plaintiff to file its reply by May 17, 2019. Defendants propose that class certification briefing be held in abeyance *sine die* pending the Second Circuit's decision in *Arkansas Teacher Retirement System v. Goldman Sachs Group, Inc.*, No. 18-3667 (2d Cir.). Plaintiff's position is that this is not necessary or appropriate.

The parties are prepared to address their respective positions concerning the class certification briefing schedule in more detail at the upcoming status conference.

We thank the Court for its attention to this matter.

Respectfully Submitted,

/s/ John Rizio-Hamilton
John Rizio-Hamilton

Enclosure

cc: All attorneys of record (via ECF)